



UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ORACLE USA, INC., a Colorado corporation;)
ORACLE AMERICA, INC., a Delaware)
corporation; and ORACLE)
INTERNATIONAL CORPORATION, a)
California corporation,)

2:10-CV-0106-LRH-PAL

VERDICT

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada)
corporation; and SETH RAVIN, an individual,)

Defendants.

Instructions: When answering the following questions and filling out this Verdict Form, please refer to the Jury Instructions for guidance on the law applicable to the subject matter covered by each question.

WE THE JURY, in the above-entitled case, unanimously find as follows:

INFRINGEMENT

Question 1: PeopleSoft Documentation

Has Oracle International Corporation proven by a preponderance of the evidence that Rimini Street engaged in copyright infringement by copying copyrighted PeopleSoft documentation in a manner not authorized by the terms of the PeopleSoft software license

1 agreements that the Court has explained to you?

2 ☒ Yes ☐ No

3
4 **Question 2: J.D. Edwards Software and Documentation**

5 Has Oracle International Corporation proven by a preponderance of the evidence that
6 Rimini Street engaged in copyright infringement by copying copyrighted J.D. Edwards
7 software and documentation in a manner not authorized by the terms of the J.D. Edwards
8 software license agreements that the Court has explained to you?

9 ☒ Yes ☐ No

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11 **Question 3: Siebel Software and Documentation**

12 Has Oracle International Corporation proven by a preponderance of the evidence that
13 Rimini Street engaged in copyright infringement by copying copyrighted Siebel software
14 and documentation in a manner not authorized by the terms of the Siebel software license
15 agreements that the Court has explained to you?

16 ☒ Yes ☐ No

17
18 **Question 4: Contributory Infringement**

19 Has Oracle International Corporation proven by a preponderance of the evidence that
20 defendant Seth Ravin engaged in contributory copyright infringement of the following
21 Oracle International Corporation copyrighted works?

22 PeopleSoft Software	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
23 PeopleSoft Documentation	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
24 J.D. Edwards Software and Documentation	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
25 Siebel Software and Documentation	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
26 Oracle Database	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Question 5: Vicarious Infringement

Has Oracle International Corporation proven by a preponderance of the evidence that defendant Seth Ravin engaged in vicarious copyright infringement of the following Oracle International Corporation copyrighted works?

PeopleSoft Software	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
PeopleSoft Documentation	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
J.D. Edwards Software and Documentation	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Siebel Software and Documentation	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Oracle Database	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

COPYRIGHT INFRINGEMENT DAMAGES**Question 6: Actual Damages**

What do you find is the best measure of Oracle International Corporation's actual damages for all acts of copyright infringement engaged in by defendant Rimini Street?

Lost Profits	<input type="checkbox"/>
Fair Market Value License	<input checked="" type="checkbox"/>

Regardless of whether you find that Lost Profits or a Fair Market Value License is the best measure of actual damages in this action, please answer all three of the following questions concerning damages: Questions 6a, 6b, and 6c. Your answer to the damages question that you find is not the best measure of actual damages (either Lost Profits or a Fair Market Value License) is advisory to the court only.

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Question 6a: Lost Profits

What amount of Lost Profits, if any, has Oracle International Corporation proven by a preponderance of the evidence for all acts of copyright infringement engaged in by defendant Rimini Street? If you found in Questions 1 through 3 that defendant Rimini Street did not engage in copyright infringement as to a particular copyrighted work, please do not consider that copyrighted work in your damages amount.

Total Lost Profits:

\$ 0

Question 6b: Defendant's Profits

What amount of Rimini Street's Profits, if any, has Oracle International Corporation proven by a preponderance of the evidence for all acts of copyright infringement engaged in by defendant Rimini Street? If you found in Questions 1 through 3 that defendant Rimini Street did not engage in copyright infringement as to a particular copyrighted work, please do not consider that copyrighted work in your damages amount.

Total Amount of Defendant's Profits:

\$ 0

Question 6c: Fair Market Value License

What amount do you find that Oracle International Corporation has proven by a preponderance of the evidence is the Fair Market Value License for all of the infringed copyrighted works? If you found in Questions 1 through 3 that defendant Rimini Street did not engage in copyright infringement as to a particular copyrighted work, please do not consider that copyrighted work in your damages amount.

Total value of a Fair Market Value License:

\$ 35,600,000

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Question 7: Contributory Infringement Damages

If you found that defendant Seth Ravin engaged in contributory copyright infringement, which portion of the actual damages award that you awarded against Rimini Street do you find that defendant Seth Ravin is contributorily liable for? The actual damages award that you should use for this question is whichever damages theory - either Lost Profits or a Fair Market Value License - that you determined is the best measure of actual damages.

Contributory Damages Amount:

\$ 0

Question 8: Vicarious Infringement Damages

If you found that defendant Seth Ravin engaged in vicarious copyright infringement, which portion of the actual damages award that you awarded against Rimini Street do you find that defendant Seth Ravin is vicariously liable for? The actual damages award that you should use for this question is whichever damages theory - either Lost Profits or a Fair Market Value License - that you determined is the best measure of actual damages.

Vicarious Damages Amount:

\$ 0

STATUTORY DAMAGES

Regardless of your verdict under the section Copyright Infringement Damages above, you must determine the amount of statutory damages under the Copyright Act. To determine the amount of statutory damages under the Copyright Act, please answer the following questions. Please note that in response to Questions 9 and 10, copyright infringement need not be innocent or willful, but can simply be infringement. Questions 9 and 10 reflect your finding as to special considerations for determining statutory damages under the Copyright Act. After deliberating, it may be that your answers to both Questions 9 and 10 are No. Such an answer is acceptable and contemplated under the Copyright Act.

Question 9: Innocent Infringement

Do you find that defendant Rimini Street has proven by a preponderance of the evidence that its infringement, if any, of the following copyrighted works was innocent as explained in the jury instruction titled Copyright Infringement - Damages - Innocent Infringement?

PeopleSoft Software	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
PeopleSoft Documentation	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
J.D. Edwards Software and Documentation	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Siebel Software and Documentation	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Oracle Database	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

If you found that defendant Rimini Street engaged in innocent infringement as to all of the copyright infringement that it engaged in, skip Question 10. However, if you found that defendant Rimini Street did not engage in innocent infringement as to all of the copyright infringement that it engaged in, or that it engaged in innocent infringement as to only some of the copyright infringement that it engaged in, answer Question 10.

Question 10: Willful Infringement

Do you find that plaintiff Oracle International Corporation has proven by a preponderance of the evidence that defendant Rimini Street's infringement, if any, of the following copyrighted works was willful as explained in the jury instruction titled Copyright Infringement - Damages - Willful Infringement?

PeopleSoft Software	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
PeopleSoft Documentation	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
J.D. Edwards Software and Documentation	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Siebel Software and Documentation	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Oracle Database	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Question 11: Statutory Damages

You must now determine the amount of statutory damages to award Oracle International Corporation under the Copyright Act. There are 100 copyright registrations listed in your juror book. The parties have agreed that no more than 93 copyrighted works are eligible for statutory damages.

You may award any amount between \$200 and \$150,000 for each copyrighted work infringed depending upon your findings regarding intent in the above questions. If you found that the infringement as to a particular copyrighted work was innocent in Question 9, then you may award between \$200 and \$30,000 for each such copyrighted work. However, if you found that the infringement as to a particular copyrighted work was willful in Question 10, then you may award between \$750 and \$150,000 for each such copyrighted work.

The total number of copyrighted works for which statutory damages is awarded is: 93

The total amount to be awarded for statutory damages is: \$ 2,790,000

Question 12: Contributory Infringement

If you found that defendant Seth Ravin engaged in contributory copyright infringement, what portion of the statutory damages award that you awarded against Rimini Street do you find that defendant Seth Ravin is contributorily liable for?

Contributory Statutory Damages Amount: \$ 0

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Question 13: Vicarious Infringement

If you found that defendant Seth Ravin engaged in vicarious copyright infringement, what portion of the statutory damages award that you awarded against Rimini Street do you find that defendant Seth Ravin is vicariously liable for?

Vicarious Statutory Damages Amount:

\$ 0

INDUCING BREACH OF CONTRACT/ INTENTIONAL INTERFERENCE**Question 14: Inducing Breach of Contract**

Do you find that plaintiff Oracle America, Inc. has proven by a preponderance of the evidence that defendant Rimini Street and/or Seth Ravin induced customers of Oracle America, Inc. to breach their contracts with Oracle America, Inc.?

Rimini Street

 Yes

 ✓ No

Seth Ravin

 Yes

 ✓ No

If you answered yes to either defendant, what amount of damages did that breach of contract cause to Oracle America, Inc.? If you did not answer yes to the above question as to a particular defendant please write N/A in the appropriate space provided.

Rimini Street

\$ 0

Seth Ravin

\$ 0

Question 15: Intentional Interference - Oracle America, Inc.

Do you find that plaintiff Oracle America, Inc. has proven by a preponderance of the evidence that defendant Rimini Street and/or Seth Ravin intentionally interfered with economic relationships between Oracle America, Inc. and customers that probably would have resulted in an economic benefit to Oracle America, Inc.?

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1 Rimini Street

_____ Yes ☒ No

2 Seth Ravin

_____ Yes ☒ No

3
4 If you answered yes to either defendant what amount of damages did that intentional
5 interference cause to Oracle America, Inc.? If you did not answer yes to the above question
6 as to a particular defendant please write N/A in the appropriate space provided.

7 Rimini Street

\$ 0

8 Seth Ravin

\$ 0

9
10 **Question 16: Intentional Interference - Oracle International Corporation**

11 Do you find that plaintiff Oracle International Corporation has proven by a preponderance
12 of the evidence that defendant Rimini Street and/or Seth Ravin intentionally interfered with
13 economic relationships between Oracle International Corporation and customers that
14 probably would have resulted in an economic benefit to Oracle International Corporation?

15 Rimini Street

_____ Yes ☒ No

16 Seth Ravin

_____ Yes ☒ No

17
18 If you answered yes to either defendant what amount of damages did that intentional
19 interference cause to Oracle International Corporation? If you did not answer yes to the
20 above question as to a particular defendant please write N/A in the appropriate space
21 provided.

22 Rimini Street

\$ 0

23 Seth Ravin

\$ 0

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COMPUTER ACCESS CLAIMS**Question 17: California Computer Data Access and Fraud Act - Oracle America, Inc.**

Do you find that Oracle America, Inc. has proven by a preponderance of the evidence that defendant Rimini Street and/or Seth Ravin violated the California Computer Data Access and Fraud Act as explained in the jury instructions?

Rimini Street

☒ Yes☐ No

Seth Ravin

☒ Yes☐ No

If you answered yes to either defendant what amount of damages did that violation of the California Computer Data Access and Fraud Act cause to Oracle America, Inc.? If you did not answer yes to the above question as to a particular defendant please write N/A in the appropriate space provided.

Rimini Street

\$ 8,827,000

Seth Ravin

\$ 8,827,000**Question 18: California Computer Data Access and Fraud Act - Oracle International Corporation**

Do you find that plaintiff Oracle International Corporation has proven by a preponderance of the evidence that defendant Rimini Street and/or Seth Ravin violated the California Computer Data Access and Fraud Act as explained in the jury instructions?

Rimini Street

☒ Yes☐ No

Seth Ravin

☒ Yes☐ No

If you answered yes to either defendant what amount of damages did that violation of the California Computer Data Access and Fraud Act cause to Oracle International Corporation? If you did not answer yes to the above question as to a particular defendant please write N/A

in the appropriate space provided.

Rimini Street

\$ 5,600,000

Seth Ravin

\$ 5,600,000

Question 19: Nevada Computer Crimes Law - Oracle America, Inc.

Do you find that Oracle America, Inc. has proven by a preponderance of the evidence that defendant Rimini Street and/or Seth Ravin violated the Nevada Computer Crimes Law as explained in the jury instructions?

Rimini Street

☒ Yes

☐ No

Seth Ravin

☒ Yes

☐ No

If you answered yes to either defendant what amount of damages did that violation of the Nevada Computer Crimes Law cause to Oracle America, Inc.? If you did not answer yes to the above question as to a particular defendant please write N/A in the appropriate space provided.

Rimini Street

\$ 8,827,000

Seth Ravin

\$ 8,827,000

Question 20: Nevada Computer Crimes Law - Oracle International Corporation

Do you find that plaintiff Oracle International Corporation has proven by a preponderance of the evidence that defendant Rimini Street and/or Seth Ravin violated the Nevada Computer Crimes Law as explained in the jury instructions?

Rimini Street

☒ Yes

☐ No

Seth Ravin

☒ Yes

☐ No

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If you answered yes to either defendant what amount of damages did that violation of the Nevada Computer Crimes Law cause to Oracle International Corporation? If you did not answer yes to the above question as to a particular defendant please write N/A in the appropriate space provided.

Rimini Street

\$ 5,600,000

Seth Ravin

\$ 5,600,000

NON-DUPPLICATIVE DAMAGES

Question 21: Non-Duplicative Damages - Oracle America, Inc.

If you found that Oracle America, Inc. suffered damages as a result of defendant Rimini Street and/or Seth Ravin's conduct you must now determine the total amount of damages that is not duplicative of any other damages award in your verdict as explained in the jury instruction titled Verdict Form - Duplicative Damages. In determining this amount, you should exclude the amount awarded for Statutory Damages as well as the amount awarded, if any, for whichever damages theory you determined was not the best measure of actual damages for copyright infringement (either Lost Profits or a Fair Market Value License). The total amount of non-duplicative damages to be awarded to Oracle America, Inc. against each defendant is as follows:

Rimini Street

\$ 8,827,000

Seth Ravin

\$ 8,827,000

Question 22: Non-Duplicative Damages - Oracle International Corporation

If you found that Oracle International Corporation suffered damages as a result of defendant Rimini Street and/or Seth Ravin's conduct you must now determine the total amount of damages that is not duplicative of any other damages award in your verdict as explained in the jury instruction titled Verdict Form - Duplicative Damages. In determining this amount,

you should exclude the amount awarded for Statutory Damages as well as the amount awarded, if any, for whichever damages theory you determined was not the best measure of actual damages for copyright infringement (either Lost Profits or a Fair Market Value License). The total amount of non-duplicative damages to be awarded to Oracle International Corporation against each defendant is as follows:

Rimini Street

\$ 41,200,000

Seth Ravin

\$ 41,200,000
5,600,000

PUNITIVE DAMAGES

If you found that Oracle America, Inc. and/or Oracle International Corporation has proven by a preponderance of the evidence that defendant Rimini Street is liable for intentional interference with prospective economic advantage (Questions 15 and 16), violating the California Computer Data Access and Fraud Act (Questions 17 and 18), or violating the Nevada Computer Crimes Law (Questions 19 and 20) please answer the following question.

Question 25: Punitive Damages - Rimini Street

Has Oracle America, Inc. and/or Oracle International Corporation proven by clear and convincing evidence that defendant Rimini Street engaged in malice, oppression, or fraud such that punitive damages against this defendant is warranted?

_____ Yes

_____ ☒ No

If you found that Oracle America, Inc. and/or Oracle International Corporation has proven by a preponderance of the evidence that defendant Seth Ravin is liable for intentional interference with prospective economic advantage (Questions 15 and 16), violating the California Computer Data Access and Fraud Act (Questions 17 and 18), or violating the Nevada Computer Crimes Law (Questions 19 and 20) please answer the following question.

1 **Question 26: Punitive Damages - Seth Ravin**

2 Has Oracle America, Inc. and/or Oracle International Corporation proven by clear and
3 convincing evidence that defendant Seth Ravin engaged in malice, oppression, or fraud such
4 that punitive damages against this defendant is warranted?

5 ☐ Yes

6 ☒ No

7 You have now completed the Verdict Form. Have your foreperson date and sign the form
8 below. Then, inform the court security officer that you have reached a unanimous verdict. Do not
9 give the envelope to the bailiff. Your foreperson should retain possession of the Verdict Form until
10 it is requested by the judge when the court reconvenes.

11
12 Dated this 13 day of October, 2015

13 _____
14 JURY FOREPERSON
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